GOVERNMENT OF INDIA
AGRICULTURE
LOK SABHA

UNSTARRED QUESTION NO:5954
ANSWERED ON:06.05.2002
RE-SOWING OF SEEDS
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Will the Minister of AGRICULTURE be pleased to state:

(a) whether the convention on Bio-diversity, allows farmers to reproduce and re-sow the seeds;

(b) if so, the details of decision taken at the convention;

(c) whether TRIPs considers the reproduction and re-sowing of seeds as illegal and violative of patent rights; and

(d) if so, the steps taken to protect the traditional rights of farmers?

Answer

MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI HUKUMDEO NARAYAN YADAV)

(a)&(b): The Convention on Biological Diversity deals with the conservation,sustainable use and equitable sharing of benefits arising out of the use of biological resources. It does not deal with the reproduction and selling of seeds by farmers.

(c)&(d): The TRIPs Agreement of WTO does not directly deal with the re-productionand resowing of seeds. However, it provides that member countries can protect plant varieties either through patent or a sui generis system or a combination of both. India has opted for a sui generis system and accordingly enacted the Protection of Plant Varieties and Farmers` Rights Act, 2001, wherein the traditional rights of the farmers have been fully protected.